

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

“TROCAR PLACEMENT GUIDE NEEDLE”

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

 X is attached hereto

_____ was filed on _____ as Application Serial No. _____ and amended on _____ (if applicable).

_____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

| | | | | |
|-------------------|--------------------|---------------------------------|--------------|-------------|
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year/Filed) | _____ Yes | _____ No |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year/Filed) | _____ Yes | _____ No |

10079608-022102

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|-----------------------------------|------------------------|--|
| _____ (Application Serial No.) | _____ (filing date) | _____ (status-patented, pending, abandoned) |
|-----------------------------------|------------------------|--|

| | | |
|-----------------------------------|------------------------|--|
| _____ (Application Serial No.) | _____ (filing date) | _____ (status-patented, pending, abandoned) |
|-----------------------------------|------------------------|--|

PCT Applications designating the United States:

| | | |
|--------------------------|---------------------|--|
| _____ (PCT Appl. No.) | _____ (U.S.S.N.) | _____ (status-patented, pending, abandoned) |
|--------------------------|---------------------|--|

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

| | | |
|-----------------------------------|------------------------|--|
| _____ (Application Serial No.) | _____ (filing date) | _____ (status-patented, pending, abandoned) |
|-----------------------------------|------------------------|--|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

2012220" 30962001

1) Full name of first inventor: Dr. Darius M. Ameri

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

3369051

10079608-022102

ATTORNEY DOCKET NO.: 2004020-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darius M. Ameri Examiner:
Serial No.: Art Unit:
Filing Date: February 21, 2002
Title: "TROCAR PLACEMENT GUIDE NEEDLE"

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

WRITTEN ASSERTION OF SMALL ENTITY STATUS
UNDER 37 CFR §1.27(a)(1)
PERSON

The undersigned hereby asserts entitlement to small entity status as a person under 37 CFR §1.27(a)(1).

This assertion is made on the ground that the undersigned is an individual who has rights in the above-referenced patent application and who *has not* assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any of those rights to any party who does not qualify for small entity status either as a person, a small business concern, or a nonprofit organization under 37 CFR §1.27.

Respectfully Submitted,

Name: _____
Title: _____
Date: _____

CHOATE, HALL & STEWART

53 State Street
Exchange Place
Boston, MA 02109
Phone: (617) 248-5000
Fax: (617) 248-4000

3369095

10079608-022102
2012220-80962001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------|---------------------------------|-----------|
| Applicant: | Darius M. Ameri | Examiner: |
| Serial No.: | | Art Unit: |
| Filing Date: | February 21, 2002 | |
| Title: | "TROCER PLACEMENT GUIDE NEEDLE" | |

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Sir:

APPOINTMENT OF ATTORNEY

The undersigned hereby appoints Sam Pasternack, Registration No. 29,576; Brenda Herschbach Jarrell, Registration No. 39,223; Kevin M. Tormey, Registration No. 41,351; Karoline K.M. Shair, Registration No. 44,332; Elizabeth E. Nugent, Registration No. 43,839; Anne-Marie Dinius, Registration No. 45,592; Valarie B. Rosen, Registration No. 45,698; C. Hunter Baker, Registration No. 46,533; Monica Gerber, Registration No. 46,724; John A. Hamilton, Registration No. 48,946; Elijah Cocks, Registration No. 47,499; and Howard H. Bayless, Registration No. P-51,245 as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Sam Pasternack, Choate, Hall & Stewart, Exchange Place,
53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

Name: _____

Date: _____